

## **REMARKS**

### **Status of the Claims**

By this Response, claims 1-5 and 7-21 have been amended. Claim 6 has been canceled. No claims have been added. Claims 1-5 and 7-21 are pending. Support for the amendments to the claims can be found throughout the as-filed specification and claims. No new matter has been added.

### **Rejections Under 35 U.S.C. § 102(b)**

Claims 1-10 are rejected under 35 U.S.C. § 102(b) as being anticipated by <http://web.presby.edu/~jtbell/transit/sanfrancisco/bart/> (June 1997), hereinafter "Bart". This rejection is respectfully traversed.

Claim 1 is directed to a personal rapid transit system comprising a dedicated guideway on which individual steered passenger vehicles travel between stations, a station of the system comprising a portion of the guideway bounded on at least one side by a platform, the width of the guideway portion being sufficient for traveling vehicles of the system to travel along a transit path in normal travel direction of the vehicles unobstructed by vehicles parked on the guideway against the platform, the platform extending generally parallel to the transit path and comprising a plurality of bays for receiving parked vehicles, each bay being defined by a respective parking section of the platform edge, which parking section extends obliquely to the transit path, whereby a steered vehicle of the system can move from and return to the transit path while maintaining a forward travel direction of the vehicle, and park against the parking

section of the platform edge of a respective one of the bays by turning from the transit path through an acute angle, the parking sections of adjacent bays being connected to each other by a transition section which extends from the front end of one of the parking sections to the rear end of the other.

It is the Examiner's position that *Bart* discloses a station in a personal rapid transit system, allegedly having the elements claimed.

To the contrary, claim 1 is expressly directed to a personal rapid transit (PRT) system, and further includes the subject matter of canceled claim 6. *Bart* fails to disclose a PRT system. It is respectfully submitted that "PRT" is a term of art, clarified by the Advanced Transit Association in 1988, and denotes a system in which automated (i.e. driverless) vehicles traveling on a dedicated guideway offer a direct service between originating and destination stations for individuals or small groups. Various descriptions and definitions of PRT are available on the Internet. An exemplary site can be found at <http://faculty.washington.edu/jbs/itrans/PRT/Background.html>, entitled "What is a Personal Rapid Transit?" According to guidelines promulgated by the Advanced Transit Association, a personal rapid transit system should have: fully automated vehicles capable of operation without human drivers; vehicles captive to a reserved guideway; small vehicles available for exclusive use by an individual or a small group, typically 1 to 6 passengers, traveling together by choice and available 24 hours a day; small guideways that can be located above ground, at ground level or underground; vehicles able to use all guideways and stations on a fully coupled PRT network; direct origin to destination service, without a necessity to transfer or stop at intervening stations; and service available on demand rather than on fixed schedules.

In contrast, the reference to *Bart* simply depicts a rear view of a Livermore "Wheels" bus arriving at the Dublin/Pleasanton station. Neither the bus nor the suburban railway system can be characterized as a personal rapid transit system. Instead, each of the bus and the train station constitute mass transit systems.

Vehicles in known PRT systems run on a dedicated track or guideway. The steering is controlled in response to the sensed position of the vehicle in relation to fixed components such as curbs of the guideway, or other structure delineating the edges of the guideway. Because of this, station design has tended to follow that of conventional track-guided railway systems. In such systems, platforms are constructed alongside the tracks, and trains are not required to deviate from the normal track direction in order to approach the platform edge. Stations in PRT systems have been constructed along similar lines. In fact, known PRT systems require the vehicle to remain close to at least one curb or other guide structure on the guideway in order for guidance of the vehicle to be maintained.

Consequently, it is not a routine modification for the skilled person to devise a system in which control of the vehicle steering when approaching or leaving a parked position in a station must be maintained by means other than the proximity to the guideway edges. The concept of controlling a vehicle in a PRT system to move from the normal transit path and over a relatively broad expanse of guideway to a defined bay at the platform edge would not be obvious to the skilled person.

A bus, as in *Bart*, is not a driverless vehicle, nor, do buses travel on dedicated guideways to which other vehicles do not have access. Instead, buses conventionally use the normal highway and their positioning on the highway, or at a parking station, is

freely variable and under the control of the driver. It would not be immediately obvious to the designer of a PRT system that road markings and the like for assisting bus drivers could be of value in a PRT system.

Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of claims 1-10 under 35 U.S.C. § 102(b). Applicant respectfully submits that claims 2-10 are in condition for allowance, at least by virtue of their dependency from allowable claim 1.

**Rejections Under 35 U.S.C. § 103(a)**

Claims 11-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sawyer (U.S. Patent No. 4,061,089 hereinafter, "Sawyer") in view of Tanaka (JP 11209926 hereinafter, "Tanaka").

Claims 18-21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sawyer. These rejections are respectfully traversed.

Claim 11 is directed to a personal rapid transit system having features of amended claim 1 and comprising, *inter alia*, whereby a steered vehicle of the system can move from and return to the transit path while maintaining a forward travel direction of the vehicle, and park against the parking section of the platform edge of a respective one of the bays by turning from the transit path through an acute angle, a main track along which vehicles of the system travel between a departure station and a destination station, and wherein the station is provided on a bypass track which is branched from the main track, the bypass track extending through the station at a level below that of the stretch of the main track which passes through the station.

Claim 18 is directed to a personal rapid transit system having features of amended claim 1 and comprising, *inter alia*, whereby a steered vehicle of the system can move from and return to the transit path while maintaining a forward travel direction of the vehicle, and park against the parking section of the platform edge of a respective one of the bays by turning from the transit path through an acute angle, a main track along which vehicles of the system travel between a departure station and a destination station, and wherein two bypass tracks are branched from the main track on opposite sides of the main track, the bypass tracks extending through the station.

It is the Examiner's position that *Sawyer* discloses a station in a personal rapid transit system comprising a main track along which vehicles of the system travel between a departure station and a destination station, the station being provided on a bypass track which is branched from the main track. The Examiner identifies claim 11 as differing in that the bypass track extends through the station at a level below that of the stretch of the main track which passes through the station. It is the Examiner's position that the configuration of the bypass track is merely a matter of design, and *Tanaka* is applied as disclosing a station at a level below that of the main track. The Examiner considers motivation being to minimize obstruction to road traffic.

To the contrary, although *Sawyer* depicts off (68) and on (73) ramps from a main travel lane (77) and bays (66), a vehicle entering and leaving these bays (66) must execute 90° turns and travel both forward and in reverse directions. Accordingly, *Sawyer* fails to teach or suggest the claimed personal rapid transit system whereby a steered vehicle of the system can move from and return to the transit path while maintaining a forward travel direction of the vehicle, and park against the parking

section of the platform edge of a respective one of the bays by turning from the transit path through an acute angle.

With regard to the rejection of claims 11-17, the Examiner further applied *Tanaka*. However, the reference to *Tanaka* is clearly not a personal rapid transit system and is, therefore, non-analogous art. Even further, the Examiner's specific statement that *Tanaka* includes a station at a level below that of the main track, referring to (0002) and Figure 2, does not appear to be supported by *Tanaka*. Instead, the Abstract translation of *Tanaka* describes a platform for a bus formed by notching a sidewalk 13 a step higher than a road 12.

Thus, taken alone or in combination, *Sawyer* and *Tanaka* fail to teach or suggest the subject matter claimed.

Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of claims 11-17 and claims 18-21 under 35 U.S.C. § 103(a). Applicant respectfully submits that claims 12-17 and 18-21 are in condition for allowance, at least by virtue of their dependency from allowable claims 11 and 18, respectively.

**Conclusion**

In view of the foregoing remarks, Applicant submits that this claimed invention is neither anticipated nor rendered obvious in view of the prior art references applied against this application. Applicant therefore requests the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

If the Examiner believes that additional discussions or information might advance the prosecution of the instant application, the Examiner is invited to contact the undersigned at the telephone number listed below to expedite resolution of any outstanding issues.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 50-2961.

Respectfully submitted,

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